

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 00005.001296
INTERNATIONAL APPLICATION NO. PCT/JP04/018773	INTERNATIONAL FILING DATE 9 December 2004	U.S. APPLICATION NUMBER (if known) 10/582328 PRIORITY DATE CLAIMED 11 December 2003
TITLE OF INVENTION MICROCRYSTALS AND PHARMACEUTICAL FORMULATIONS COMPRISING THE SAME		
APPLICANT(S) FOR DO/EO/US Naoto Izawa, Norie Satoh, Nobuhiro Yagi, Kazue Ouchi, Shoichi Narita and Noboru Aoki		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern other document(s) or information included:		
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4) (front page only). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: 1 Sheet of Formal Drawings; Verification of Translation; Communication re PCT/IB/306; Copies of: PCT Request, Form PCT/IB/301, Form PCT/IB/304, Form PCT/IB/308 (First Notice), Form PCT/ISA/210 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

U.S. APPLICATION NO. (If known) see CFR 1.60 10/582328		INTERNATIONAL APPLICATION NO. PCT/JP04/018773		ATTORNEY'S DOCKET NUMBER 00005.001296
<p>The following fees are submitted:</p> <p>21. <input checked="" type="checkbox"/> Basic national fee \$300</p> <p>22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provision of PCT Article 33(1)-(4) \$100 All other situations \$200</p> <p>23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 All other situations \$500</p>				CALCULATIONS \$300.00
<p>TOTAL OF 21, 22 and 23 =</p> <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</p>				\$900.00
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	
29 - 100 =	0/50 =	0	x \$250.00	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	40-20 =	0	x \$ 50	\$1000.00
Independent Claims	1-3 =	0	x \$200	\$0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+\$360 \$360.00
TOTAL OF ABOVE CALCULATIONS =				\$2260.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$
SUBTOTAL =				\$2260.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$
TOTAL NATIONAL FEE =				\$2260.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+\$40.00
TOTAL FEES ENCLOSED =				\$2300.00
				Amount to be refunded: \$
				Amount to be charged: \$
<p>a. <input checked="" type="checkbox"/> Two checks in the amount of \$2260.00 and \$40.00 to cover the above fees are enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-1205</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.				
SEND ALL CORRESPONDENCE TO:				
<p>Lawrence S. Perry Fitzpatrick, Cella, Harper & Scinto 30 Rockefeller Plaza New York, NY 10112-3800</p>				
<p> SIGNATURE</p> <p>Lawrence S. Perry NAME <u>31,865</u> REGISTRATION NUMBER</p>				
June 8, 2006 DATE				

10/582328

AP20 Rec'd PCT/PTO 09 JUN 2006

00005.001296

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
NAOTO IZAWA, ET AL.) : Examiner: Not Yet Assigned
Application No.: Not Yet Assigned) : Group Art Unit: Not Yet Assigned
(National Phase of PCT Application No.)
PCT/JP04/018773 filed December)
9, 2004) :
Filed: Concurrently herewith)
For: MICROCRYSTALS AND)
PHARMACEUTICAL)
FORMULATIONS COMPRISING)
THE SAME) : June 8, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Sir:

This communication is to advise that the fourth inventors' name (Kazue Ouchi) was misspelled in the PCT Request and in the published PCT application. A request to correct such an error has been filed, and the PCT form PCT/IB/306 acknowledging the recording of that change by the PCT will be filed herein in due course.

Entry hereof is earnestly solicited.

10/582328
IAP20 Rec'd PCT/PTO 09 JUN 2006

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


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